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August 22, 2007

BY FAX (212 805-6111)
Hon. Henry Pitman
United States Magistrate
United States District Court
500 Pearl Street
New York, New York 10007

Re: Pinsky v. JP Morgan Chase & Co.
07 Civ. 3328 (CM)

Dear Magistrate Pitman:

I write in response to Frederic Lieberman's letter of August 21, 2007, which could have been obviated by a telephone call.

We have been, in fact, most compliant with defendant's voluminous requests and with our obligations under the Federal Rules of Civil Procedure. In our July 16, 2007 Rule 26 Disclosure Statement we supplied the names and addresses of fourteen witnesses, twelve of whom were medical practitioners. Shortly thereafter we supplied defendants with twelve medical authorizations. From what we can tell most of the providers have already supplied plaintiff's medical records.

Although briefly delayed, plaintiff has responded to the First and Second Document Requests, turning over about 100 pages of documents, most of which were correspondence with defendant's employees or records which defendant already had (such as plaintiff's State Division for Human Rights Complaint, EEOC charge and position statements to those agencies.)

The only discovery requests not fully responded to are the interrogatories, which only seek the names of witnesses. We have already supplied the names of our fourteen principal witnesses; we will have a response out by Friday with several other secondary witnesses. Since depositions will not begin until September, and none of the fourteen names supplied to date has been noticed for deposition, this brief delay has not caused defendant any disadvantage.

Returned to chambers for scanning on 8/29/07
Scanned by chambers on 8/31/07

REPLY TO DEFENDANT
FIRST SET OF INTERROGATORIES
+ FIRST DISCOVERY FOR PLUMMER.
NO LATER THAN 8-24-07.

SO ORDERED

HENRY PITMAN
UNITED STATES MAGISTRATE JUDGE

8-22-07

MICROFILM

AUG 23 2007 - 3:39 PM



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I did not respond to Mr. Lieberman's letter last week because I was away. Had he called he would have found this out.

We submit that there are no substantive problems with discovery and no intervention by the Court is required at this time.

Respectfully submitted,

Arthur Z. Schwartz

cc: Frederic Lieberman, Esq. (by fax -212-552-1630)